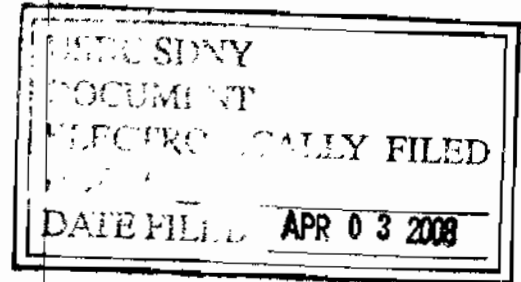


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

07 Civ. 9450 (GBD)

-----X
TERON ALEXANDER FRANCIS, deceased, by
MARGERLYN FRANCIS, as Administratrix of the
Estate, Goods, Chateaux, and Credits of TERON
ALEXANDER FRANCIS, and MARGERLYN
FRANCIS, individually,

STIPULATION AND ORDER

Plaintiffs,

-against-

BRONX-LEBANON HOSPITAL CENTER, DR.
MARTIN LUTHER KING JR. HEALTH CENTER,
ROBERT C. BINGHAM, D.D.S., ARNOLD V.
HOMER, D.D.S., INDRANIL GUPTA, M.D.,
RAJESH SHENOY, M.D., "JOHN DOE,"
M.D./D.D.S (whose first and last name is fictitious
and presently unknown),

Defendants.

-----X
IT IS STIPULATED AND AGREED, by and among the parties, by their
undersigned respective attorneys that:

1. Plaintiffs' claims against defendants Dr. Martin Luther King Jr. Health Center, Robert C. Bingham, D.D.S., Arnold V. Homer, and the United States of America ("federal defendants") have been previously dismissed without prejudice by this court.
2. Plaintiffs' claims against the remaining defendants Bronx-Lebanon Hospital Center, Indranil Gupta, M.D., Rajesh Shenoy, M.D., "John Doe", M.D. are not dismissed and are hereby severed from the aforementioned federal defendants and remanded back to the Bronx County Supreme Court, index no. 14179/07.
3. A faxed copy of this stipulation has the same force and effect as an original document.

Dated: Bronx, NY
April 1, 2008

SONIN & GENIS
Attorneys for Plaintiffs

AARONSON RAPPAPORT FEINSTEIN &
DEUTSCH, LLP
Attorneys for Defendants Bronx-Lebanon
Hospital Center, Indranil Gupta, M.D., Rajesh
Shenoy, M.D., "John Doe", M.D. or D.D.S.

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By: Jonathan A. Meester, Esq.
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Fax: (212) 593-6970

So Ordered:

Dated: New York, NY
April 1, 2008

George B. Daniels
Hon. George B. Daniels, U.S.D.J.
HON. GEORGE B. DANIELS